

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v. Criminal No. 06-50017-001

HERBERTO UGALDE-MENDEZ

DEFENDANT

O R D E R

Now on this 13th day of May, 2008, comes on for consideration defendant's **Petition To Request Honorable District Court's Intervention Pursuant To U.S.C. Title 18 §3231 District Courts Jurisdiction, To Waive The Fine Imposed By The District Court** (document #29), and from said motion, and the response thereto, the Court finds that said motion should be denied. The circumstances in which the Court may alter a previously-imposed sentence are limited. They include a meritorious motion of the government pursuant to **F.R.Cr.P. 35 or 18 U.S.C. §3573**; a meritorious motion of the defendant pursuant to **28 U.S.C. §2254 or §2255**; and remand for resentencing following appeal. Defendant's motion does not fall within any of these categories.

IT IS THEREFORE ORDERED that defendant's Petition To Request Honorable District Court's Intervention Pursuant To U.S.C. Title 18 §3231 District Courts Jurisdiction, To Waive The Fine Imposed By The District Court (document #29) is denied.

IT IS SO ORDERED.

/s/ Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE